

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1483 be amended to read as follows:

- 1 Page 1, line 11, delete "individuals," and insert "**individuals**,".
- 2 Page 2, between lines 4 and 5, begin a new paragraph and insert:
- 3 "SECTION 2. IC 9-13-2-69.7 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2009]: **Sec. 69.7. "Golf cart" means a four (4)**
- 6 **wheeled motor vehicle originally and specifically designed and**
- 7 **intended to transport one (1) or more individuals and golf clubs for**
- 8 **the purpose of playing the game of golf on a golf course.**
- 9 SECTION 3. IC 9-13-2-94.5, AS AMENDED BY P.L.9-2007,
- 10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 11 JULY 1, 2009]: Sec. 94.5. "Low speed vehicle" means a four (4)
- 12 wheeled electrically powered motor vehicle:
- 13 (1) with a maximum design speed of not more than thirty-five
- 14 (35) miles per hour;
- 15 (2) with operational and equipment specifications described in 49
- 16 CFR 571.500;
- 17 (3) that is equipped with:
- 18 (A) headlamps;
- 19 (B) front and rear turn signal lamps, tail lamps, and stop
- 20 lamps;
- 21 (C) reflex reflectors;
- 22 (D) exterior or interior mirrors;
- 23 (E) brakes as specified in IC 9-19-3-1;
- 24 (F) a windshield;
- 25 (G) a vehicle identification number; and
- 26 (H) a safety belt installed at each designated seating position;
- 27 and
- 28 (4) that has not been privately assembled as described in
- 29 IC 9-17-4-1.
- 30 **The term does not include a golf cart."**
- 31 Page 2, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 5. IC 9-17-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. This article does not apply to farm wagons, **a golf cart**, or ~~to~~ a motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer.

SECTION 6. IC 9-18-1-1, AS AMENDED BY P.L.1-2006, SECTION 160, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. This article does not apply to the following:

- (1) Farm wagons.
- (2) Farm tractors.
- (3) A new motor vehicle if the new motor vehicle is being operated in Indiana solely to remove it from an accident site to a storage location because:
  - (A) the new motor vehicle was being transported on a railroad car or semitrailer; and
  - (B) the railroad car or semitrailer was involved in an accident that required the unloading of the new motor vehicle to preserve or prevent further damage to it.
- (4) An implement of agriculture designed to be operated primarily in a farm field or on farm premises.
- (5) Off-road vehicles.
- (6) Golf carts.**

SECTION 7. IC 9-19-1-1, AS AMENDED BY P.L.210-2005, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) Except as provided in subsection (b) and as otherwise provided in this chapter, this article does not apply to the following with respect to equipment on vehicles:

- (1) Implements of agriculture designed to be operated primarily in a farm field or on farm premises.
- (2) Road machinery.
- (3) Road rollers.
- (4) Farm tractors.
- (5) Vehicle chassis that:
  - (A) are a part of a vehicle manufacturer's work in process; and
  - (B) are driven under this subdivision only for a distance of less than one (1) mile.

**(6) Golf carts.**

(b) A farm type dry or liquid fertilizer tank trailer or spreader that is drawn or towed on a highway by a motor vehicle other than a farm tractor at a speed greater than thirty (30) miles per hour is considered a trailer for equipment requirement purposes and all equipment requirements concerning trailers apply."

Page 2, line 17, delete "as" and insert "**as**".

Page 2, line 17, delete "IC 9-13-2-60(a)(1)." and insert "**IC 9-13-2-60(a)(1))**".

- 1 Page 2, line 18, delete "as" and insert "(as".
- 2 Page 2, line 18, delete "IC 9-13-2-60(a)(2)" and insert "IC
- 3 **9-13-2-60(a)(2))"**.
- 4 Page 3, line 1, delete "as" and insert "(as".
- 5 Page 3, line 2, delete "IC 9-13-2-60(a)(1)" and insert "IC
- 6 **9-13-2-60(a)(1))"**.
- 7 Page 3, line 4, delete "as" and insert "(as".
- 8 Page 3, line 4, delete "IC 9-13-2-60(a)(2)" and insert "IC
- 9 **9-13-2-60(a)(2))"**.
- 10 Page 3, between lines 5 and 6, begin a new paragraph and insert:
- 11 "SECTION 10. IC 9-21-1-1 IS AMENDED TO READ AS
- 12 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. Except as provided
- 13 in sections 2, ~~and~~ 3, **and 3.3** of this chapter, this article applies
- 14 throughout Indiana.
- 15 SECTION 11. IC 9-21-1-3 IS AMENDED TO READ AS
- 16 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) A local authority,
- 17 with respect to private roads and highways under the authority's
- 18 jurisdiction, in accordance with section 2 of this chapter, and within the
- 19 reasonable exercise of the police power, may do the following:
- 20 (1) Regulate the standing or parking of vehicles.
- 21 (2) Regulate traffic by means of police officers or traffic control
- 22 signals.
- 23 (3) Regulate or prohibit processions or assemblages on the
- 24 highways.
- 25 (4) Designate a highway as a one-way highway and require that
- 26 all vehicles operated on the highway be moved in one (1) specific
- 27 direction.
- 28 (5) Regulate the speed of vehicles in public parks.
- 29 (6) Designate a highway as a through highway and require that all
- 30 vehicles stop before entering or crossing the highway.
- 31 (7) Designate an intersection as a stop intersection and require all
- 32 vehicles to stop at one (1) or more entrances to the intersection.
- 33 (8) Restrict the use of highways as authorized in IC 9-21-4-7.
- 34 (9) Regulate the operation of bicycles and require the registration
- 35 and licensing of bicycles, including the requirement of a
- 36 registration fee.
- 37 (10) Regulate or prohibit the turning of vehicles at intersections.
- 38 (11) Alter the prima facie speed limits authorized under
- 39 IC 9-21-5.
- 40 (12) Adopt other traffic regulations specifically authorized by this
- 41 article.
- 42 (13) Adopt traffic regulations governing traffic control on public
- 43 school grounds when requested by the governing body of the
- 44 school corporations.
- 45 (14) Regulate or prohibit the operation of low speed vehicles **or**
- 46 **golf carts** on highways.
- 47 (b) An ordinance or regulation adopted under subsection (a)(4),

(a)(5), (a)(6), (a)(7), (a)(8), (a)(10), (a)(11), (a)(12), (a)(13), or (a)(14), is effective when signs giving notice of the local traffic regulations are posted upon or at the entrances to the highway or part of the highway that is affected.

SECTION 12. IC 9-21-1-3.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 3.3. (a) A city or a town may adopt by ordinance additional traffic regulations concerning the use of golf carts on a highway under the jurisdiction of the city or the town. An ordinance adopted under this subsection may not conflict with or duplicate state law.**

**(b) A fine assessed for a violation of a traffic ordinance adopted by a city or a town under this section shall be deposited into the general fund of the city or town.**

**(c) A person who violates subsection (a) commits a Class C infraction."**

Page 3, between lines 17 and 18, begin a new paragraph and insert:  
"SECTION 14. IC 9-21-9-0.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 0.5. (a) This chapter does not apply to the following:

(1) An electric personal assistive mobility device.

(2) A low speed vehicle.

**(3) Except as provided in subsection (b), a golf cart.**

**(b) An ordinance adopted in accordance with IC 9-21-1-3(a)(14) or IC 9-21-1-3.3(a) may require a golf cart to display a slow moving vehicle emblem in accordance with section 3 of this chapter or a red or amber flashing lamp in accordance with section 4 of this chapter. A fine assessed for a violation of an ordinance under this section shall be deposited in the general fund of the city or town.**

SECTION 15. IC 9-22-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. This chapter does not apply to the following:

(1) A vehicle in operable condition specifically adapted or constructed for operation on privately owned raceways.

(2) A vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment.

(3) A vehicle located on a vehicle sale lot.

(4) A vehicle located upon property licensed or zoned as an automobile scrapyard.

(5) A vehicle registered and licensed under IC 9-18-12 as an antique vehicle.

**(6) A golf cart.**

SECTION 16. IC 9-22-3-0.5, AS ADDED BY P.L.219-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 0.5. For purposes of this chapter, "motor vehicle" does not include:

1 (1) an off-road vehicle; or

2 (2) a golf cart.

3 SECTION 17. IC 9-22-5-16 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 16. **(a) This section**  
5 **does not apply to a person who sells, exchanges, or transfers golf**  
6 **carts.**

7 (b) A seller that is:

8 (1) a dealer; or

9 (2) another person who sells, exchanges, or transfers at least five

10 (5) vehicles each year;

11 may not sell, exchange, or transfer a rebuilt vehicle without disclosing  
12 in writing to the purchaser, customer, or transferee, before  
13 consummating the sale, exchange, or transfer, the fact that the vehicle  
14 is a rebuilt vehicle if the dealer or other person knows or should  
15 reasonably know the vehicle is a rebuilt vehicle."

16 Page 3, line 20, after "7." insert "(a)".

17 Page 3, line 32, delete "as" and insert "(as".

18 Page 3, line 33, delete "IC 9-13-2-60(a)(2)," and insert "**IC**  
19 **9-13-2-60(a)(2)),**".

20 Page 3, line 37, delete "as" and insert "(as".

21 Page 3, line 37, delete "IC 9-13-2-60(a)(2)" and insert "**IC**  
22 **9-13-2-60(a)(2))**".

23 Page 5, between lines 10 and 11, begin a new paragraph and insert:

24 **"(b) An ordinance adopted under IC 9-21-1-3((a)(14) or**  
25 **IC 9-21-1-3.3(a) must require that an individual who operates a**  
26 **golf cart in the city or town hold a driver's license.**

27 SECTION 19. IC 9-26-6-0.5 IS ADDED TO THE INDIANA CODE  
28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
29 1, 2009]: Sec. 0.5. **Section 1 of this chapter applies to a person**  
30 **removing a wrecked or damaged golf cart from a street or**  
31 **highway.**

32 SECTION 20. IC 14-8-2-116.5 IS ADDED TO THE INDIANA  
33 CODE AS A NEW SECTION TO READ AS FOLLOWS  
34 [EFFECTIVE JULY 1, 2009]: Sec. 116.5. **"Golf cart", for purposes**  
35 **of IC 14-8-2-185 and IC 14-19-1-0.5, has the meaning set forth in**  
36 **IC 9-13-2-69.7."**

- 1 Page 5, line 27, delete "as" and insert "(as".
- 2 Page 5, line 27, delete "IC 9-13-2-60(a)(2)." and insert "IC
- 3 **9-13-2-60(a)(2))**".
- 4 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1483 as printed March 18, 2009.)

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Senator STUTZMAN